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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,688	01/04/2002	Osman Kent	T001 P001U1	8291

7590

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EXAMINER

DALENCOURT, YVES

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/037,688

Applicant(s)

KENT ET AL.

Examiner

Yves Dalencourt

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9-12, 14-19 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 6-8, 13, 20-22 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/04/02/05/31/02, and 11/21/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is responsive to communication filed on 01/04/02.

Information Disclosure Statement

The Information Disclosure Statement (IDS) filed on 11/21/2003 has the wrong application number (10/037,668 instead of 10/037,688). It appears to be a typo, and the examiner has corrected such IDS.

Also, the NPL (Model-Based Motion Estimation for Synthetic Animation) has no published date.

Claim Objections

2. Claims 1, 9, 14, and 23 are objected to because of the following informalities:

Please delete " the server " (claim 1, line 2; claim 9, line 1), and insert – the visual server – in order to be consistent with the claim terminology.

In claim 23, please insert -- a -- before visual server (line 1).

In claim 14, please insert -- upon -- after based (line 11).

Claim 9 recites the limitation "the transmitting client" in line 4. please delete " the " and insert – a --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 5, 9 – 12, 14 – 19, and 23 - 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Khan et al (6,438,575; hereinafter Khan).

5. Khan teaches a system, method and article of manufacture that are provided for selection and formatting of web content for remote viewing. Such content can be hyperlinks, images, text, tables, secure information such as account information, email, and audio and video data.

Regarding claim 1, Khan teaches an image display system (fig. 3), comprising a visual server (304, fig. 3) having image processing capabilities wherein the server selectively receives image-modifying data corresponding to a generated image (202, fig. 3; col. 10, line 44; Khan discloses the use of receiving (in operation 202) a user-defined information (image modifying data)), generates a modified image based upon the image-modifying data (204, fig. 3; col. 10, lines 44 –57; Khan discloses wherein the user-defined information (image modifying data) is used to retrieve content from one or more web sites, where the network server acts as a gateway through which any content from the world wide web is collected and converted into a format amenable to the

wireless device), and transmits the modified image as compressed data (col. 11, lines 1 – 3; col. 15, lines 46 – 51; Khan discloses the use of transmitting to a wireless device for display on the wireless device the formatted content); and at least one client (302, fig. 3) in selective communication with the visual server (304, fig. 3; col. 11, lines 37 - 41), the client including an image display (col. 11, lines 54 – 64), the client further selectively generating image-modifying data and transmitting the image-modifying data to the visual server (col. 10, lines 27 – 50; Khan discloses that a user is allowed to provide information that specifies general or specific content (image-modifying data) to be retrieved for online or offline viewing), and the client receiving as compressed data from the visual server an image modified based upon the transmitted image-modifying data, decompressing the compressed image data, and displaying the decompressed image on the client image display (col. 15, lines 46 – 62; col. 15, line 63 through col. 16, line 47; Khan discloses that the client application itself is charged with responsibility to decompress data for presentation. Applicants should duly note that various graphical images are transmitted to browser applications and compressed using various lossee or lossless algorithms to substantially reduce the transmitted data size).

6. Regarding claim 2, Khan teaches the system of claim 1, wherein the visual server and the at least one client are in selective communication across a network (fig. 3; col. 3, lines 48 – 58; col. 11, lines 37 – 53).

7. Regarding claim 3, Khan teaches the system of claim 1, wherein the visual server and the at least one client are in selective communication across the Internet (col. 10, lines 35 – 39; col. 11, lines 37 – 41).

8. Regarding claim 4, Khan teaches the system of claim 1, wherein the visual server and the at least one client are in selective wireless communication (fig. 3; col. 11, lines 37 - 41).

9. Regarding claim 5, Khan teaches the system of claim 1, wherein the visual server transmits the modified image to the client as a frame (col. 14, lines 3 - 6).

10. Regarding claim 9, Khan teaches a visual server (304, fig. 3) having image processing capabilities, wherein the server selectively receives from one or more clients image-modifying data corresponding to a generated image (202, fig. 3; col. 10, line 44; Khan discloses the use of receiving (in operation 202) a user-defined information (image modifying data)), generates a modified image based upon the image-modifying data (204, fig. 3; col. 10, lines 44 - 57; Khan discloses wherein the user-defined information(image modifying data) is used to retrieve content from one or more web sites, where the network server acts as a gateway through which any content from the world wide web is collected and converted into a format amenable to the wireless device), and transmits the modified image as compressed data to the transmitting client (col. 10, lines col. 11, lines 1 - 3; col. 15, lines 46 - 51; Khan discloses the use of transmitting to a wireless device for display on the wireless device the formatted content).

11. Regarding claim 10, Khan teaches the server of claim 9, wherein the visual server is in selective communication across a network to one or more clients (fig. 3; col. 3, lines 48 - 58; col. 11, lines 37 - 53).

12. Regarding claim 11, Khan teaches the server of claim 9, wherein the visual server is selective wireless communication to one or more clients ((fig. 3; col. 11, lines 37 - 41).

13. Regarding claim 12, Khan teaches the server of claim 9, wherein the visual server transmits the modified image to the client as a frame (col. 14, lines 3 - 6).

14. Regarding claim 14, Khan teaches a method of displaying an image on a client (302, fig. 3) in selective communication with a visual server (304, fig. 3; col. 11, lines 37 - 41), comprising the steps of generating image-modifying data at the client (col. 10, lines 27 - 32; Khan discloses that a user is allowed to provide information that specifies general or specific content (image modifying data) to be retrieve for online or offline viewing), the client including an image display (col. 11, lines 54 - 64), and the image-modifying data corresponding to a generated image (col. 10, lines 32 - 50); transmitting the image-modifying data from the client to the visual server, the visual server having image processing capabilities (col. 10, lines 27 - 50; Khan discloses that the user-defined information is received in operation 202 and in operation 204 is used to retrieve content from one or more web sites); receiving at the visual server image-modifying data from the client (202, fig. 3; col. 10, line 44; Khan discloses the use of receiving (in operation 202) a user-defined information (image modifying data)); generating at the visual server a modified image based upon the image-modifying data received from the client (204, fig. 3; col. 10, lines 44 -57; Khan discloses wherein the user-defined information (image modifying data) is used to retrieve content from one or more web sites, where the network server acts as a gateway through which any content from the

world wide web is collected and converted into a format amenable to the wireless device); transmitting the modified image from the visual server to the client as compressed data (col. 10, lines col. 11, lines 1 – 3; col. 15, lines 46 – 51; Khan discloses the use of transmitting to a wireless device for display on the wireless device the formatted content); receiving at the client as compressed data from the visual server an image modified based the transmitted image-modifying data (col. 15, lines 46 – 62; col. 15, line 63 through col. 16, line 47); decompressing the compressed image data at the client (col. 15, lines 46 – 62; col. 15, line 63 through col. 16, line 47), and displaying the decompressed image on the client image display (col. 15, lines 46 – 62; col. 15, line 63 through col. 16, line 47; Khan discloses that the client application itself is charged with responsibility to decompress data for presentation. Applicants should duly note that various graphical images are transmitted to browser applications and compressed using various lossee or lossless algorithms to substantially reduce the transmitted data size).

15. Regarding claim 15, Khan teaches the method of claim 14, further comprising the step of transmitting a link to the visual sender from the client prior to the step of transmitting the image-modifying data from the client to the visual server (col. 10, lines 27 – 43; col. 22, line 60 through col. 23, line 12).

16. Regarding claim 16, Khan teaches the method of claim 14, wherein the steps of transmitting the image-modifying data from the client to the visual server and transmitting the modified image from the visual server to the client as compressed data are performed across a network (fig. 3; col. 3, lines 48 – 58; col. 11, lines 37 – 53).

17. Regarding claim 17, Khan teaches the method of claim 14, wherein the steps of transmitting the image-modifying data from the client to the visual server and transmitting the modified image from the visual server to the client as compressed data are performed across the Internet (col. 10, lines 35 – 39; col. 11, lines 37 – 41).

18. Regarding claim 18, Khan teaches the method of claim 14, wherein the steps of transmitting the image-modifying data from the client to the visual server and transmitting the modified image from the visual server to the client as compressed data are performed through wireless communication (fig. 3; col. 11, lines 37 - 41).

19. Regarding claim 19, Khan teaches the method of claim 14, wherein the step of transmitting the modified image from the visual server to the client as compressed data is transmitting the modified image from the visual server to the client as a compressed data comprising a frame (col. 14, lines 3 --6).

20. Regarding claim 23, Khan teaches a method of providing an image from visual server (304, fig. 3) to a client (302, fig. 3) in selective communication with the visual server (fig. 3), comprising the steps of receiving at the visual server image-modifying data from the client (202, fig. 3; col. 10, line 44; Khan discloses the use of receiving (in operation 202) a user-defined information (image modifying data)); generating at the visual server a modified image based upon the image-modifying data received from the client (204, fig. 3; col. 10, lines 44 –57; Khan discloses wherein the user-defined information(image modifying data) is used to retrieve content from one or more web sites, where the network server acts as a gateway through which any content from the world wide web is collected and converted into a format amenable to the wireless

device); and transmitting the modified image from the visual server to the client as compressed data (col. 10, lines col. 11, lines 1 – 3; col. 15, lines 46 – 51; Khan discloses the use of transmitting to a wireless device for display on the wireless device the formatted content).

21. Regarding claim 24, Khan teaches the method of claim 23, wherein the step of transmitting the modified image from the visual server to the client as compressed data is transmitting the modified image across a network (fig. 3; col. 3, lines 48 – 58; col. 11, lines 37 – 53).

22. Regarding claim 25, Khan teaches the method of claim 23, wherein the step of transmitting the modified image from the visual server to the client as compressed data is transmitting the modified image to the client via wireless communication (fig. 3; col. 11, lines 37 - 41).

23. Regarding claim 26, Khan teaches the method of claim 23, wherein the step of transmitting the modified image from the visual server to the client as compressed data is transmitting the modified image as a compressed data comprising a frame (col. 14, lines 3 - 6).

Allowable Subject Matter

24. Claims 6 – 8, 13, 20 – 22, and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: As specifically claimed, the art of record fail to teach that the visual server transmit the modified image to the client after predetermined duration of generating an image based upon the transmitted image-modifying data has occurred. Also, the art of record fail to teach that the client transmits the image-modifying data to the visual server as data sufficient to generate an image frame.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hertzmann et al (US 6,628,282; hereinafter Hertzmann) discloses a stateless remote environment navigation.

Dorenbosch et al (US Patent Number 6,055,229) discloses a method and apparatus in a wireless communication system for dynamically formatting application data to be transmitted.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt



April 14, 2005